

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 04-04 Erie
	)	
ANTONIO M. TIRADO	)	

MOTION TO DESTROY FIREARM AND AMMUNITION

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Marshall J. Piccinini, Assistant United States Attorney for said district and respectfully moves this Court, pursuant to the All Writs Act, Title 28, United States Code, Section 1651(a) to enter an order authorizing Special Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives, to destroy a certain firearm and ammunition seized from the defendant during the investigation of this case. In support thereof, the government alleges as follows:

1. That on or about January 13, 2004, defendant was indicted for violations of Title 18, United States Code, Section 922(g)(1).

2. That on or about May 21, 2004, defendant was found guilty of a violation of Title 18, United States Code, Section 922(g)(1).

3. That on or about August 5, 2004, defendant was sentenced to a term of imprisonment of 120 months.

4. That during the course of the investigation, the following weapon and ammunition were seized from the defendant:

- (a) Amadeo Rossi .38 caliber handgun, Model M88, serial number W254626; and
- (b) Five rounds of 38 caliber ammunition.

5. That, as a result of defendant's felony conviction in the United States District Court for the Western District of Pennsylvania, it is unlawful for the defendant to possess any firearm or ammunition or to receive any firearm or ammunition, Title 18, United States Code, Section 922(g) (1).

WHEREFORE, as a result of defendant's felony conviction, it is respectfully requested that this Court enter an order authorizing Special Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives to destroy the above-described weapon and ammunition.

Respectfully submitted,

MARY BETH BUCHANAN  
United States Attorney

s/Marshall J. Piccinini  
MARSHALL J. PICCININI  
Assistant U.S. Attorney  
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